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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,190	07/09/2003	Koji Yamashita	32011-190646	9227
26694	7590	11/30/2004	EXAMINER	
VENABLE, BAETJER, HOWARD AND CIVILETTI, LLP P.O. BOX 34385 WASHINGTON, DC 20043-9998			BLOUNT, ERIC	
			ART UNIT	PAPER NUMBER
			2636	

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/615,190

Applicant(s)

YAMASHITA ET AL.

Examiner

Eric M. Blount

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 12-14, 18 and 20-24 is/are rejected.
- 7) ☒ Claim(s) 6-11, 15-17 and 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 07092003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5, 12-14, 18, and 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abbott, III et al [U.S. Patent No. 6513046].

As for **claims 1 and 12**, Abbot discloses a method for complementing personal memory loss information with communication to provide information for dispelling a specific status where an individual who lost personal memory cannot take an action to be performed next (column 1, lines 5-10). The method comprises the steps of a communication network side equipment collecting daily behavior monitoring information of said individual transferred from a communication terminal via a communication line (columns 3 and 4). Abbott discloses that a CAM system is adapted for collection of behavior and environmental information of an individual. This information can be transferred wirelessly to a remote computer (column 7, lines 16-24). The communications network side equipment (CAM) loads the information on a specific status where an individual who lost personal memory can not take action to be performed next, which is transferred from said communication terminal via a communication line. The communication network side equipment generates memory support information by retrieval for dispelling a specific status where the individual who

lost personal memory cannot shift to action to be performed, and transfers the memory support information via a communication line (column 7, lines 9-15 and column 8, lines 40-52). While Abbott does not specifically detail information about the communication side network equipment and the communication terminal, it is obvious that the system suggested in column 8, lines 40-52 suggests the system described by applicant. A remote computer functions as the network side equipment for processing information received from a communication terminal located with an individual. The communication network side equipment transfers information back to the communication terminal with the user. It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the CAM system into a remote computer (as suggested by Abbott) for generating memory support information because it would result in a system that minimized the physical size and weight of the equipment that an individual would have to carry. The system would provide the same results while also providing comfort to the individual with memory loss.

As for **claims 2, 14, and 18**, Abbott discloses that the behavior monitoring information may include current absolute position information of the communication terminal and that information may be communicated in text or as an image in said communication terminal (column 5, lines 15-30, column 7, lines 2-6 and columns 23 and 24).

As for **claims 3 and 20**, Abbott discloses that information from a user's environment may be received and processed along with user behavior information

As for **claim 4**, the memory support information may be in the form of conversation, text, or image (column 20, lines 50-67).

Regarding **claim 5**, Abbott does not specifically disclose that an external terminal may correct behavior-monitoring information. However, Abbott discloses that the system may function with other computers and environmental sensors. It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant that an external terminal could correct behavior-monitoring information. Examiner is interpreting "correct" to mean update. Environmental sensors and remote computers are capable of constantly updating the behavior monitoring information in the system disclosed by Abbott.

As for **claim 6**, Abbott discloses a system wherein memory support information may be provided to a user in many ways.

As for **claim 13**, as discussed earlier, Abbott discloses that a plurality of environmental sensors may cooperate with a portable device worn by an individual (Figure 2). These body worn sensors may be passive or active (column 17, lines 55-column 18, line 12). The information provided by these sensors is processed at the network side equipment. These teachings reasonably appear to meet the limitations of the claim.

Regarding **claim 21**, Abbott discloses information recording means for storing data for a computer to execute a step of transferring daily behavior information and information on a specific status via a communication line (Figures 2 and 3 and column 2, line 43-column 3, line 2).

As for **claims 22-24**, it can be seen from the discussions of the claims above that Abbott reasonably appears to meet the limitations as set forth by the claims.

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant that the system for complementing personal lost memory as disclosed by Abbott could be modified in several ways. Abbott discloses the use of external computers and a plurality of sensors for monitoring behavior information of an individual. Changing the type of sensors, placement of sensors, and the entry of behavior information are all obvious modifications to the invention. These obvious modifications would provide more information to communication network side equipment, which would in turn, provide more reliable memory support information.

Allowable Subject Matter

3. **Claims 6-11, 15-17, and 19**, are objected to as being dependent upon a rejected base claim, but it appears that they would be allowable over the prior art of record if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

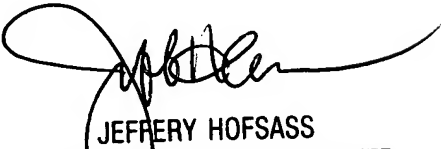
4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Though not used in this Official Action, Zadrozny et al, Zlatsin et al, Eshelman et al, and Phipps all teach monitoring and reminder devices that were useful during the examination of this application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric M. Blount whose telephone number is (571) 272-2973. The examiner can normally be reached on 8:00 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Eric M. Blount
Examiner
Art Unit 2636



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